IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.10038 OF 2004

Pune Cantonment Board, .. Petitioner

Vs

1. Shabir Mohsinbhai Khambati & Anr. Respondents

Mr K.J.Presswala i/b M/s Mulla & Mulla & CBC for the petitioner.

Mr N.B.Shah,for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 21st December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Mr.Presswala, learned counsel for the petitioner, submits that he has instructions not to press this petition and the petitioner would be satisfied if the parties are directed to maintain status-quo as of today in respect of the suit shop till disposal of the suit. He further prayed for expediting the hearing of the suit. Mr Shah, learned counsel for the respondents, has no objection for passing such order. However, Mr Shah submits that the respondent-plaintiff has already carried out minor repairs as per the order dated 16.9.2004 passed below Exhibit-23 in Misc.Civil Appeal No.206 of 2004. In the circumstances, this petition is

disposed of by the following order.

(i) The trial Court shall endeavour to dispose of Regular Civil Suit No.741 of 2004 as expeditiously as possible and preferably within a period of one year from the date of receipt of this order. The petitioner to produce a copy of this order before the trial Court within four weeks from today.

(ii) Parties are directed to maintain status-quo as of today in so far as the suit shop is concerned pending hearing and final disposal of the suit.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)